BILL NO. Z-90-05-14 (AS AMENDED)

ZONING MAP ORDINANCE NO. Z-06-90

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. Q-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B (General Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lots 15, 16, 17 and 18 of Taylor and Abbots Subdivision, Wayne Township, Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. Q-2, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

_____
Councilmember

APPROVED AS TO FORM AND LEGALITY:

_____
J. TIMOTHY MCCAULAY, CITY ATTORNEY

#430

BILL NO. Z-90-05-14

ZONING MAP ORDINANCE NO. Z-_____

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 2-2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B-3-B (General Business) District under the terms of Chapter 33 of the Code of the City of Fort Wayne, Indiana of 1974:

Lots 13, 14, 15, 16, 17 and 18 of Taylor and Abbots Subdivision, Wayne Township, Allen County, Indiana.

and the symbols of the City of Fort Wayne Zoning Map No. Q-2, as established by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Janet G. Bradbury
Councilmember

APPROVED AS TO FORM AND LEGALITY:

J. Timothy McCaulay
J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the ~~first~~ time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room ~~128~~, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____ M.,E.S.T.

DATED: 5-22-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY				✓
BURNS	✓			
EDMONDS	✓			
GiaQUINTA				✓
HENRY	✓			
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 6-26-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ (GENERAL) ~~(SPECIAL)~~ (ZONING MAP) ORDINANCE ~~RESOLUTION~~ NO. G-06-90 on the 26th day of June, 1990

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Charles B. Redd
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1990, at the hour of 1:30 o'clock P.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 27th day of June, 1990, at the hour of 4:00 o'clock P.M.,E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/We STEAMATIC of FORT WAYNE, INC. By: Bruce F. Cuttitta Its: President
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-1 District to a/an B-3-B District the property described as follows:

Lots 13,14,15,16,17 and 18 of Taylor and Abbots Subdivision, Wayne Township, Allen County, Indiana (Key # 91-4066-0013).

(Legal Descrption) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

This is a bareland parcel at the northwest corner of Edsall and Winch Street.
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

OMNI SOURCE CORPORATION 1610 N. Calhoun

X By: Leonard Rifkin Fort Wayne, In. 46808

Its: Pres

(Name) (Address) (Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____
(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or requst that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordina being sent to the newspaper for legal publication. If the request for deferra continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at whi it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that ar ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the mat for hearing before the City Plan Commission. (FILING FEE $100.00)

Name and address of the preparer, attorney or agent.

Neil H. Kobi (Name) | 2502 Getz Road 46804 (Address & Zip Code) | 456-3482 (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street Fort Wayne, IN 46802 (PHONE: 219/ 427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hear approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoned.

Lots 13,14,15,16,17 and 18 of Taylor and Abbots Subdivision, Wayne Township, Allen County, Indiana (Key # 91-4066-0013).

Owners of Property

OMNI SOURCE CORPORATION	1610 N. Calhoun	
By:	Fort Wayne, In. 46808	
Its:		
(Name)	(Address)	(Signature)

NOTE: All checks are to be made payable to: CITY OF FORT WAYNE

This form is to be filed in duplicate.

NOTICE:

FILING OF THIS APPLICATION GRANTS THE CITY OF FORT WAYNE PERMISSION TO POST "OFFICIAL NOTICE" ON THE PETITIONED PROPERTY.

FAILURE TO POST, OR TO MAINTAIN POSTING CAN PREVENT THE PUBLIC HEARING FROM BEING HELD.

CERTIFICATE OF SURVEY

OFFICE OF:

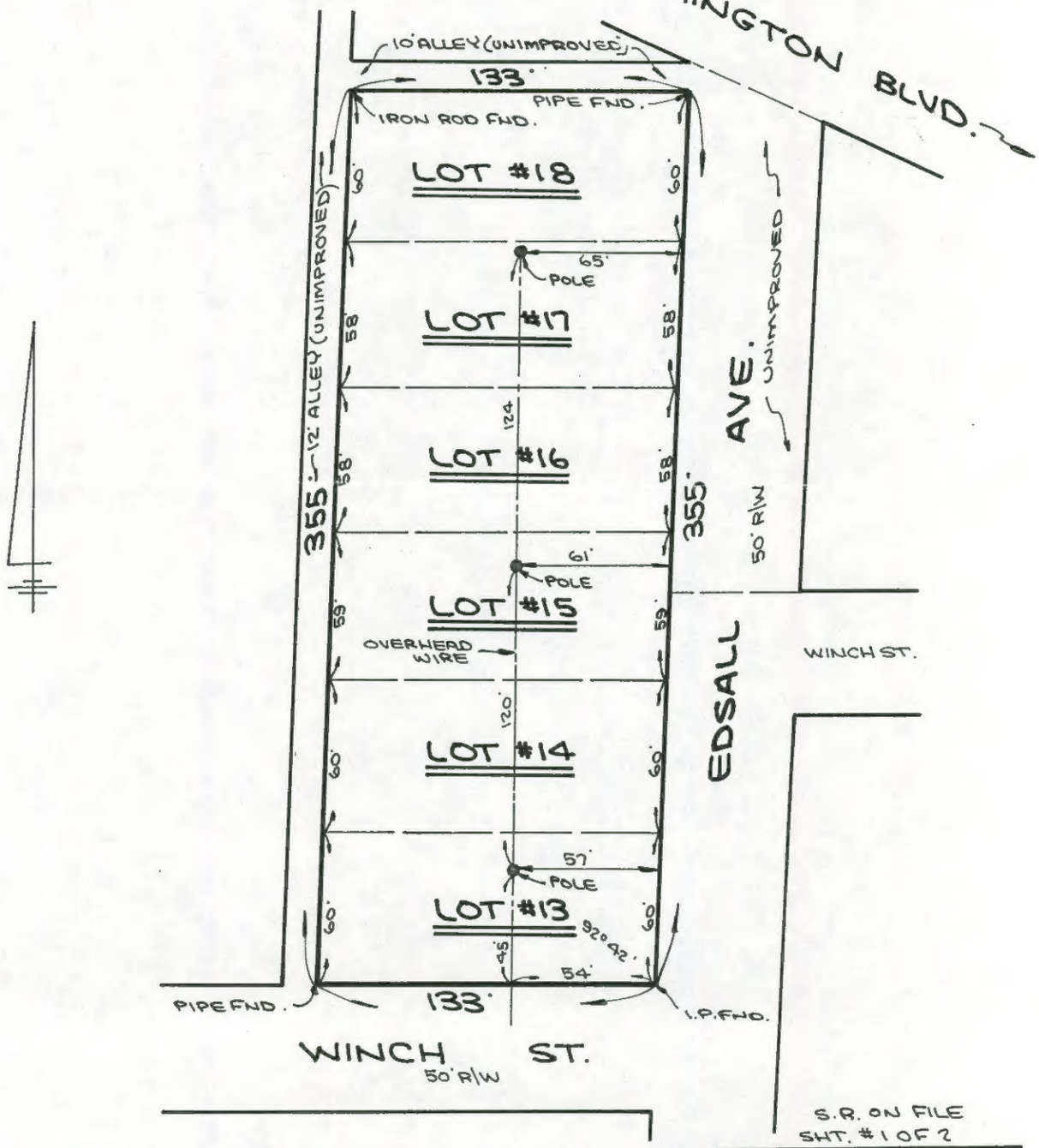
DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA
FRANCIS X. MUELLER P.L.S. No. S0193 INDIANA
GREGORY L. ROBERTS P.L.S. No. S0548 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby ceritfies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: SEE ATTACHED SHEET!



S.R. ON FILE
SHT. #1 OF 2

NOTE: According to the Flood Insurance Rate Map, (FIRM) number 180003 0005B, dated April 3, 1985, the herein described real estate is located in Zone "C", and is not in a flood hazard area.

JOB FOR: OMNI SOURCE - STEAMATIC OF FORT WAYNE

1" = 60'
4-18-90

JOHN R. DONOVAN
REGISTERED
No. 9921
STATE OF INDIANA
LAND SURVEYOR

CERTIFICATE OF SURVEY

OFFICE OF:

DONOVAN ENGINEERING

JOHN R. DONOVAN P.E. No. 9173 P.L.S. No. 9921 INDIANA
FRANCIS X. MUELLER P.L.S. No. S0193 INDIANA
GREGORY L. ROBERTS P.L.S. No. S0548 INDIANA
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby ceritfies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Lot Numbered 13, Lot Numbered 14, Lot Numbered 15, Lot Numbered 16, Lot Numbered 17 and Lot Numbered 18 in Taylor and Abbott's Addition as recorded in the plat thereof in the Office of the Recorder of Allen County, Indiana.

SHT. #2 OF 2

JOHN R. DONOVAN
REGISTERED
No. 9921
STATE OF INDIANA
LAND SURVEYOR

4-18-90

JOB FOR: OMNI SOURCE- STEAMATIC OF FORT WAYNE

BILL NO. Z-90-05-14 (as amended)

REPORT OF THE COMMITTEE ON REGULATIONS

JANET G. BRADBURY, CHAIRPERSON
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, TALARICO

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the City of Fort Wayne Zoning Map No. Q-2

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

DO PASS	DO NOT PASS	ABSTAIN	NO REC

DATED: 6-26-90.

Sandra E. Kennedy
City Clerk

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 22, 1990 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-90-05-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 21, 1990.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held June 4, 1990.

Certified and signed this
6th day of June 1990.

Robert Hutner
Secretary

PRESCRIBED BY STATE BOARD OF ACCOUNTS

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

№ 7300

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 4/18 19 90

RECEIVED FROM Steamatic of Ft. Wayne $ 100.00

THE SUM OF One Hundred & 00/100 DOLLARS

ON ACCOUNT OF Zoning Ord. Amd.

R-1 - B3B Plat Bobi

#132821

PAID BY: CASH ☐ CHECK ☑ M.O. ☐

AUTHORIZED SIGNATURE

#130

ORIGINAL ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Northwest corner of Edsall and Winch Streets.

Z-90-05-14

(as amended)

EFFECT OF PASSAGE Property is presently zoned R-1 - Single Family Residential.

Property will become B-3-B - General Business District.

EFFECT OF NON-PASSAGE Property will remain R-1 - Single Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

(ASSIGN TO COMMITTEE (J.N.)

FACT SHEET

Z-90-05-14

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment From R-1 to B-3-B		

DETAILS

Specific Location and/or Address

Northwest corner of Edsall & Winch Street

Reason for Project

New repair facility for Steamatic Inc.

Discussion (Including relationship to other Council actions)

May 21, 1990 - Public Hearing

Neil Kobi, 2502 Getz Road, agent for the petitioner Steamatic of Fort Wayne Inc., appeared before the Commission. Mr. Kobi stated that they are requesting to rezone from R-1 to B-3-B Lots 13 through 18 for the purpose of building a service repair facility for Steamatic Inc. He stated they intend to build a 6900 square foot structure on the property. He stated they also have future expansion plans in the next 5 years for another 5000 square foot structure. He stated that the staff has recommended that they perfect the petition to exclude Lots 13 and 14 from the request. He stated that they have already submitted a new legal excluding those lots and have applied to the Board of Zoning Appeals for parking on these two lots..

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

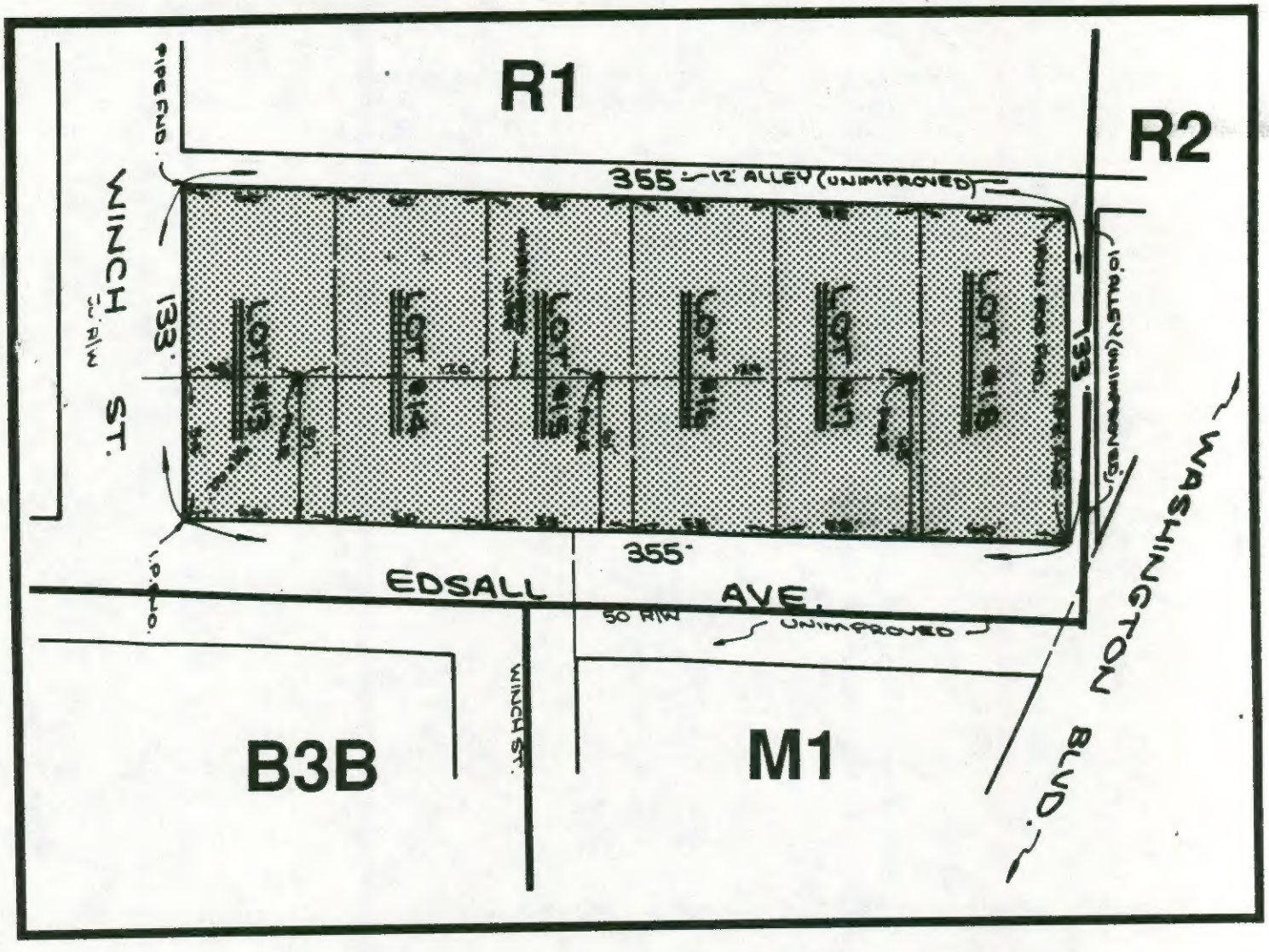
POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Steamatic Inc of Fort Wayne City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	[X] For [ ] Against Reason Against
Board or Commission Recommendation	By [ ] For [ ] Against [ ] No Action Taken [X] For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

REZONING PETITION #430

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A **R1** DISTRICT TO A **B3B** DISTRICT.

MAP NO. **Q-2**

COUNCILMANIC DISTRICT NO. **1**



ZONING:

R1 RESIDENTIAL DISTRICT

B3B GENERAL BUSINESS "B"

R2 RESIDENTIAL DISTRICT

M1 LIGHT INDUSTRY

LAND USE:

☐ *SINGLE FAMILY*

☐ *COMMERCIAL*

LW

SCALE: NTS

DATE: 4-26-90

N